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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

2008 JUN -5 AM 11: 00

UNITED STATES OF AMERICA, Plaintiff, v. **Juan Manuel CASTREJON-Garcia,** Defendant	Magistrate Docket No. '08 MJ 1768 COMPLAINT FOR VIOLATION OF: Title 8, U.S.C., Section 1326 Deported Alien Found in the United States

The undersigned complainant, being duly sworn, states:

On or about **June 04, 2008** within the Southern District of California, defendant, **Juan Manuel CASTREJON-Garcia,** an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 5thDAY OF June, 2008

Leo S. Papas
UNITED STATES MAGISTRATE JUDGE

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CONTINUATION OF COMPLAINT:
Juan Manuel CASTREJON-Garcia

PROBABLE CAUSE STATEMENT

On June 3, 2008, Senior Patrol Agent T. Watson was conducting line watch duties in Tecate, California. At approximately 11:00 p.m., Agent Watson was advised of a seismic intrusion device activation in his area. Agent Watson responded to the location and discovered several sets of footprints leading northbound on a trail. Agent Watson followed the footprints for approximately three hours. He then discovered twenty-three subjects attempting to hide in large boulders and thick brush. Agent Watson identified himself as a United States Border Patrol Agent and questioned each subject as to their citizenship. All twenty-three subjects including one later identified as the defendant **Juan Manuel CASTREJON-Garcia**, stated that they were citizens and nationals of Mexico without any immigration documents that would allow them to enter into or remain in the United States. All twenty-three subjects placed under arrest at approximately 2:30 a.m. on June 4, 2008, and transported to the Tecate Processing Center in Tecate, California..

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **February 07, 2008** through **San Ysidro, California.** These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.